

REMARKS

Independent claim 1 with respective dependent claims 2, 3, 6-11 and independent claim 15 with respective dependent claim 16 stand rejected under 35 U.S.C. §102 (b) as being anticipated by the United States Patent No. 4,887,770 to *Wacker et al.*. Claims 4, 5 and 12-14 are objected to but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening.

After entry of the present amendment claims 1 through 10, 12 through 14, and 17 through 28 will be pending in the application with claims 1, 17 and 28 written in independent form. Claims 1, 3, and 12 are currently amended. Claims 4, 5, and 12 through 14 have allowable subject matter and Claims 11, 15, and 16 are cancelled. New claims 17 through 28 have been added. The amendments to claims 1, 3, and 12 and new claims 17 through 28 do not include new matter.

The Applicant has amended independent claim 1 by incorporating limitations of dependent claims 11. In particular, the dependent claim 11, which depends upon the independent claim 1, covers “at least two steering air outlets for shaping the spray stream”, for creating two levels of shaping air. The *Wacker et al.* patent cited by the examiner discloses a bell applicator that has only one designated shaping air outlet for shaping the spray pattern. The *Wacker et al.* does disclose a purge air that flows along a space next to the turbine shaft merely for preventing coating material from migrating up the shaft into the turbine. The *Wacker et al.* patent does not disclose the two steering air outlets or a steering air line routing through the bearing unit.

The independent claim 1, as amended by the Applicant, is supported by paragraph [00026] and Figure 1, as originally filed. The amended claim 1 adds the limitations of

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Serial No.: 10/624,586

dependent claim 11 and further defines around *Wacker et al.* by having two steering air outlets for shaping the spray stream, unlike that of *Wacker et al.* which has only one shaping air outlet. The two steering air outlets allows for two levels of steering air to shape the spray pattern, unlike the device in the *Wacker et al.* patent which does not have the capability of two levels of steering air. As amended, the independent claim 1 and deleted independent claim 15 overcomes the Examiner's rejection and that the applicant respectfully submits that amended independent claim 1 and the dependent claims 2-10, and 12-14 are now placed in a condition for allowance.

Turning to the independent claim 17, the Applicant has added this claim to set forth an additional unique feature of the subject invention by adding the limitation of claim 4, as cited as having allowable subject matter by the Examiner, with the limitations as previously set forth in the independent claim 1. In particular, the independent claim 17 claims a unique design of the rotary atomizer having "at least one steering air inlet and said at least one steering air outlet being fluidly connected by said hole in said bearing unit extending parallel to said axis of rotation and said needle hole extending from said surface shell of said bearing unit."

Finally, independent claim 28, the Applicant has added this claim to set forth an additional unique feature of the first and second air lines and how the air lines are defined with respect to the turbine unit. In particular, independent claim 28 claims a separate air line for each of the two steering air outlets.


The independent claims 1, 17 and 28 with the respective dependent claims 2 through 10, 12 through 14 and 18 through 27 are supported by the specification and are shown in Figure 1 of the application, as originally filed by the Applicant, and are also believed allowable as these claims depend from the unique features of the independent claims 1, 17 and 28, which is not taught in *Wacker et al.*, or other prior art.

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Serial No.: 10/624,586

The application is now in condition for allowance, which allowance is respectfully solicited. A check totaling \$700 is enclosed to cover extra claims fees of \$250 and the 2-month extension of time fee of \$450. The Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account 08-2789. Further and favorable reconsideration of the outstanding Office Action is hereby requested.

Respectfully submitted,
HOWARD & HOWARD ATTORNEYS P.C.

August 15, 2005
Date



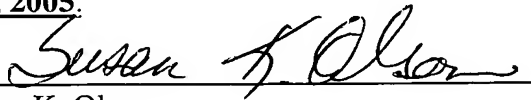
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CERTIFICATE OF MAILING

I hereby certify that this **Amendment** for Application No.: **10/624,586** is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop Amendments, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on **August 15, 2005**.



Susan K. Olson